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5 Attorneys for Defendant Motorola
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Attorney for Plaintiff Gregory Bender

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

Gregory Bender,

Plaintiff,

V.

Motorola Inc.,

Defendant.

CASE NO. C 09-01245 SBA

STIPULATION AND [PROPOSED] ORDER REGARDING DEADLINE FOR INVALIDITY CONTENTIONS

Plaintiff Gregory Bender (“Plaintiff”) and Defendant Motorola Inc, (“Defendant”), through their respective counsel, hereby make the following stipulation with regards to Defendant’s invalidity contentions.

WHEREAS, Plaintiff served his infringement contentions on March 12, 2010.

WHEREAS, on March 19, 2010, Defendant informed Plaintiff that Defendant believes the infringement contentions do not comply with Patent L.R. 3-1, that Defendant intends to seek Court resolution of this issue including a stay of Defendant's invalidity contention and document production obligations, and that Defendant requests a meet and confer between the parties to discuss the issue.

WHEREAS, the parties have agreed to stay Defendant's invalidity contention and document production obligations pending the resolution of this matter.

1 THE PARTIES HEREBY STIPULATE THAT:

2 Defendant's obligations under Patent L.R. 3-3 and 3-4 and any other obligations to
3 produce technical documents shall be stayed until 45 days after the resolution of the parties'
4 dispute regarding the sufficiency of Plaintiff's infringement contentions.

5 Respectfully submitted,

6 Dated: March 26, 2010 Jones Day

7

8 By: /s/ Greg L. Lippetz
9 Greg L. Lippetz
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17 Counsel for Defendant Nokia Inc.

18 In accordance with General Order No. 45, Section X(B), the above signatory attests that
19 concurrence in the filing of this document has been obtained from the signatory below.

20

21 Dated: March 26, 2010 By: /s/ David N. Kuhn
22 David N. Kuhn
23 Attorney-at-Law
24 144 Hagar Avenue
25 Piedmont, California 94611
26 Telephone: (510) 653-4983

27 Counsel for Plaintiff Gregory Bender

28 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

29

30 DATED: 3/31/10 By: Saudra B. Armstrong
31 THE HON. SAUNDRA B. ARMSTRONG
32 United States District Court Judge